

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

NATIONWIDE MUTUAL FIRE INS. CO.,)	
)	
<i>Plaintiff,</i>)	
)	Case No. 3:19-cv-289
v.)	
)	District Judge Atchley
ANDREW RAGONE, <i>et al.</i> ,)	
)	Magistrate Judge Guyton
<i>Defendant.</i>)	
)	
)	
)	
)	
)	

ORDER

On April 30, 2021, United States Magistrate Judge Bruce Guyton filed a Report and Recommendation [Doc. 34] pursuant to 28 U.S.C. § 636 and the undersigned’s Referral Order [Doc. 32]. Magistrate Judge Guyton recommends that Plaintiff’s Motion for Default Judgment against Andrew Ragone [Doc. 25] be granted in part and denied in part. [Doc. 34 at 8]. Defendant Ragone has not filed an objection to the Report and Recommendation and the time to do so has expired.¹ Nevertheless, the Court reviewed the Report and Recommendation, as well as the record in this case, and agrees with Magistrate Judge Guyton’s well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** the findings of fact and conclusions of law set forth in the Report and Recommendation [Doc. 34]. Plaintiff’s Motion for Default

¹ Magistrate Judge Guyton advised that the parties had fourteen (14) days in which to object to the Report and Recommendation and that failure to file objections within the time specified would waive any right to appeal. [Doc. 34 at 7-8, n.1]; *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (“It does not appear that Congress intended to require district court review of a magistrate judge’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.”).

Judgement as to Andrew Ragone [Doc. 25] is **GRANTED IN PART AND DENIED IN PART.**

Default judgment shall be rendered against Defendant Ragone as to the extent that Plaintiff is entitled to withdraw its defense that it provided to Defendant Ragone under reservation of rights in the lawsuit instituted by Defendant Musolino in the Knox County action.

SO ORDERED.

/s/ *Charles E. Atchley Jr.*

**CHARLES E. ATCHLEY JR.
UNITED STATES DISTRICT JUDGE**